

UNITED STATES PATENT & TRADEMARK OFFICE

Examiner: HOBBS, Michael L. Art Unit: 1797

Re. Applicant: LEE, Choul-Gyun, et al.

Serial No.: 10/535,386

Filed: May 17, 2005

For: **MULTI-LAYERED PHOTOBIOREACTOR AND
METHOD OF CULTURING PHOTOSYNTHETIC
MICROORGANISMS USING THE SAME**

Confirmation No.: 3696

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 19, 2009

Sir:

Further to the Information Disclosure Statement submitted on May 17, 2005 and pursuant to M.P.E.P. §609 and 37 C.F.R. §§1.56, 1.97-1.99, Applicants submit a Supplemental Information Disclosure Statement cited in the corresponding Japanese Patent application. Please note that the Japanese Patent Publication No. 2000-513938 is not available at this moment.

This submission does not represent that a search has been made or that no better art exists. While the term "references" is used in citing the documents called to the Examiner's attention herein, Applicants do not make any admission that each or all of them are "prior art" references within the meaning of the statutory and case law.

Applicants reserve the right to contend, where appropriate, that a patent asserted against any claim of the present application is not prior art under the facts and the law.

Applicants also reserve the right to present appropriate arguments and/or evidence to establish patentability over the references, should one or more of the references be applied against the claims of the present application.

Applicants request that the Examiner independently determine those items which the Examiner would consider the most pertinent of all the references cited herein.

This Information Disclosure Statement is filed before the mailing of a first office action on the merits. In addition, each item of information contained herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement. Therefore, no fee is believed to be due. If it is determined that any further fees are due, any deficiency or overpayment should be charged or credited to Deposit Account No. 02-2275. Accordingly, this document complies with the requirements of 37 C.F.R. Section 1.97(b). It is respectfully requested that the cited references are considered and made of record.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document is being facsimile transmitted to the Commissioner of Patents on March 19, 2009.

LUCAS & MERCANTI, LLP

BY:


Elizabeth Lee